

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

NJOS, SANDRA)
)
 Plaintiff,)
)) No. 07 C 50213
 vs.)
)
 ROCKFORD HEALTH SYSTEM,)
 an Illinois not-for profit Corporation, and)
 ROCKFORD MEMORIAL HOSPITAL)
 an Illinois not-for-profit Corporation,)
 ROBERT ESCARZA, M.D., RHONDA)
 CASAVANT, R.N.)
)
 Defendants.)
)

PLAINTIFF'S MOTION TO VOLUNTARILY DISMISS PURSUANT TO RULE 41

NOW COMES, the Plaintiff, SANDRA NJOS, by and through her attorneys, THE SZYMANSKI KOROLL LITIGATION GROUP, and for her Motion to Voluntarily Dismiss Pursuant to Rule 41, states as follows:

1. On October 30, 2007, Plaintiff filed her Complaint at Law alleging medical malpractice against Defendants Rockford Health System, Rockford Memorial Hospital, Robert Escarza, M.D., and Rhonda Casavant, R.N.
2. After filing the complaint, Plaintiff Sandra Njos passed away.
3. Plaintiff's counsel attempted to contact family members in an effort to determine who, if any, would be representing the decedent's estate in order to continue the lawsuit.
4. As of January 28, 2009, no family member has come forward to represent the estate, and communication has been difficult.

5. On information and belief, Sandra Njos did not execute a will and no estate has been opened.

6. Out of an abundance of caution, Plaintiff's counsel seeks to have this case voluntarily dismissed with leave to refile within one year of the dismissal.

7. All parties have stipulated to the dismissal. (See Exhibit A – Signed Stipulation) Plaintiff has also not previously dismissed her case.

WHEREFORE, the Plaintiff, SANDRA NJOS, respectfully requests that this Court grant her Motion to Voluntarily Dismiss Pursuant to Rule 41, and for any other relief deemed just and proper.

SANDRA NJOS,

BY THE SZYMANSKI KOROLL LITIGATION GROUP

BY s/Nathan Reyes
Nathan Reyes

Nathan Reyes
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